

REMARKS

The present Amendment is in response to the Office Action mailed August 21, 2007, in the above-identified application.

As an initial matter, Applicants acknowledge and appreciate the Examiner's allowance of claim 18 and indication that claims 4-7 and 9-11 contain allowable matter.

The Applicants have cancelled claims 1-3, 8, 12-17 and 19-21, thereby rendering moot rejections directed at the cancelled claims. Applicants have amended claims 4, 5, 9, and 10 to include all of the limitations of the base claim and any intervening claims. Therefore, as stated by the Examiner, claims 4, 5, 9 and 10 are now allowable. Claims 6 and 7 depend either directly or indirectly from claim 5 and are also allowable at least for the same reasons as claim 5. Claim 11 depends from claim 10 and is allowable for at least same reasons as claim 10. Claim 18 has been allowed.

As it is believed that all of the rejections and objections set forth in the Office Action have been fully met or are rendered moot, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested Amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Application No.: 10/715,968

Docket No.: SPINE 3.0-438 CONT CONT

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Respectfully submitted,

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